1 2	RENE L. VALLADARES Federal Public Defender Nevada State Bar No. 11479		
3	T. KENNETH LEE Assistant Federal Public Defender		
$_4$	Ohio State Bar No. 0065158 411 E. Bonneville, Ste. 250 Las Vegas, Nevada 89101 (702) 388-6577 (702) 388-5819 (fax)		
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6	ken_lee@fd.org		
7	Attorneys for Petitioner Bryan Wayne Crawley		
8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
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11	BRYAN WAYNE CRAWLEY,	Case No. 2:17-cv-02086-RFB-CWH	
12	Petitioner,	UNOPPOSED MOTION FOR AN ENLARGEMENT OF TIME IN WHICH	
13	v.	TO FILE A FIRST AMENDED PETITION	
14	BRAD CAIN, et al.,	(Second Request)	
15	Respondents.		
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17	Petitioner Bryan Wayne Crawley moves this Court for an extension of time of		
18	ninety-one (91) days, from April 23, 2018, to and including Monday, July 23, 2018, to		
19	file an Amended Petition for Writ of Habeas Corpus. This motion is based upon the		
20	following declaration of counsel and the record in this case.		
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DECLARATION OF T. KENNETH LEE

- Bryan Crawley (Crawley) was charged with: conspiracy to commit burglary 1. and/or home invasion of the home (count 1); conspiracy to commit robbery (count 2); murder with use of a deadly weapon, victim over 60 years of age (count 3); burglary while in possession of a firearm (count 4); invasion of the home in possession of a firearm (count 5); robbery with use of a deadly weapon, victim over 60 years of age (count 6); conspiracy to commit battery (count 7); attempt murder with a deadly weapon (count 8); robbery with use a deadly weapon (count 9); conspiracy to commit robbery (count 10); burglary while in possession of a firearm (count 11); battery with intent to commit a crime (count 12); burglary (count 13); robbery with use of a deadly weapon (count 14); assault with a deadly weapon (count 15); attempt murder with a deadly weapon (count 16); stop required on signal of police officer (count 17); child abuse and neglect (count 18); conspiracy to commit murder (count 19); solicitation to commit murder (count 20); solicitation to commit murder (count 21); solicitation to commit murder (count 22); conspiracy to commit an act for the perversion or corruption of public justice or the due administration of law (count 23); and bribing or intimidating a witness to influence testimony (count 24). Trial began on November 4, 2008, and ended on December 1, 2008, when the jury found Crawley guilty on all counts. Crawley was subsequently sentenced to 23 life without the possibility of parole sentences and ordered to serve those sentences consecutively. The Nevada Department of Corrections houses Crawley at Snake River Correctional Institution in Ontario, Oregon.
- 2. On October 23, 2017, the Federal Public Defender was appointed as counsel for Crawley and ordered to file an amended petition within 60 days of undertaking Crawley's representation. ECF no. 5. On November 22, 2017, Assistant Federal Public Defender T, Kenneth Lee filed a Notice of Appearance. ECF no. 7. Crawley's

amended petition is currently due on January 22, 2018. *See* ECF no. 5. Crawley now requests this first extension of time for an additional 91 days, up to and including Monday, July 23, 2018, to file an amended petition for the following reasons.

- 3. Counsel has only recently meet with Mr. Crawley, in Oregon to discuss, his very complicated case and has conducted his initial meeting with his supervisor. Based on these meetings it is incumbent on counsel to spend a significant amount of time to review Mr. Crawley's huge record. Furthermore, counsel was recently involved in a car accident, which has necessitated counsel being out of the office.
- 4. Due to the above, an extension of time is necessary to provide counsel sufficient time to: (1) review the extensive record in this case; (2) to obtain treatment for injuries sustained in a recent car accident; and (3) allow counsel sufficient time to draft the amended petition.
- 5. Counsel has contacted Senior Deputy Attorney General Heather Proctor. Ms. Proctor had no objection to the request for an extension of time, with the caveat that nothing about the decision not to oppose Petitioner's extension request signifies an implied finding of a basis for tolling any applicable period of limitations or the waiver of any other procedural defense. Petitioner at all times remains responsible for calculating any limitations periods and understands that, in granting an extension request, the Court makes no finding or representation that the petition, any amendments thereto, and/or any claims contained therein are not subject to dismissal as untimely.
- 6. This motion is not filed for the purpose of delay, but in the interests of justice, as well as in the interest of Mr. Crawley. Nev. R. Prof. Conduct 1.1. I request that this Court grant the request for an extension of time to file the amended petition to

¹ The State of Nevada sought the death penalty in Mr. Crawley's case, and his trial lasted almost a month.

1	Monday, July 23, 2018, to ensure the effective and thorough representation of Mr.	
2	Crawley.	
3	I declare under penalty of perjury that the foregoing is true and correct.	
4	Dated this 23 rd of April, 2018.	
5	Respectfully submitted,	
6	RENE L. VALLADARES	
7	Federal Public Defender	
8	/s/ T. Kenneth Lee	
9	T. KENNETH LEE	
10	Assistant Federal Public Defender	
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13	IT IS SO ORDERED:	
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16	RICHARD F. BOULWARE, II United States District Judge	
17	DATED this 24th day of April, 2018.	
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CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States District Court, District of Nevada by using the CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Heather D. Procter

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following non-CM/ECF participants:

Bryan Wayne Crawley NDOC #60853 No. 19960250 Snake River Correctional Institution 777 Stanton Blvd Ontario, OR 97914

/s/ Dayron Rodriguez

An Employee of the Federal Public Defender

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